

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

MARION DIAGNOSTIC CENTER, LLC, et
al.,

Plaintiffs,

v.

BECTON, DICKINSON, AND CO., et al.,

Defendants.

Case No. 3:18-cv-01059

Judge Nancy J. Rosenstengel

**AGREED MOTION TO EXTEND TIME FOR PLAINTIFFS TO RESPOND TO
DEFENDANTS' MOTIONS TO DISMISS AND TO SCHEDULE ORAL ARGUMENT**

Plaintiffs Marion Diagnostic Center LLC, Marion HealthCare, LLC, and Andron Medical Associates, by their undersigned attorneys, respectfully request that this Court grant this agreed motion to extend the deadline for Plaintiffs to respond to Defendants' motions to dismiss and to schedule oral argument as to those motions. In support of their request, Plaintiffs state as follows:

1. Defendants filed three motions to dismiss on July 20, 2018. Dkt. 83-85.
2. Plaintiffs respectfully request a twenty-six-day extension of time to respond to the Defendants' motions to dismiss from August 23, 2018, to September 18, 2018. This is the first request for an extension of time by Plaintiffs to respond to the motions to dismiss. This motion is not made for purposes of delay, but to allow the Plaintiffs time to analyze and respond to three separate motions to dismiss.
3. Counsel for Defendants have been consulted and have agreed to this extension.

4. The parties further jointly request oral argument on Defendants' motions once those motions have been fully briefed.

5. A draft order is attached to this motion and will also be submitted in a format compatible with Microsoft Word to NJRpd@ilsd.uscourts.gov.

Dated: July 27, 2018
New York, New York

Respectfully submitted,

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**[PROPOSED] ORDER EXTENDING TIME FOR PLAINTIFFS TO RESPOND TO
DEFENDANTS' MOTIONS TO DISMISS AND GRANTING ORAL ARGUMENT**

IT IS HEREBY ORDERED, pursuant to the agreement of the parties, that the deadline for Plaintiffs to file responses to Defendants' motions to dismiss is hereby extended to September 21, 2018. The Court further finds oral argument warranted as to those motions and will schedule a hearing at the close of briefing.

Dated: July 27, 2018

The Honorable Nancy J. Rosenstengel
United States District Judge

CERTIFICATE OF SERVICE

I certify that I caused a copy of the foregoing Agreed Motion to Extend Time For Plaintiffs to Respond to Defendants' Motions to Dismiss to be served on all counsel of record by filing it through the Court's CM/ECF system.

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